



U.S. Department of Justice

*United States Attorney
Middle District of Alabama*

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October 12, 2006

Mr. Joe M. Reed
Faulk & Reed, LLP
524 South Union Street
Montgomery, Alabama 36104

Re: U.S. v. Eighty-Six Thousand Six Hundred Thirty Three Dollars (\$80,633.00) in U.S. Currency; Four Thousand Eight Hundred Seventy-Eight Dollars (\$4,878.00) in U.S. Currency; and Thirty-Six Thousand Five Hundred Dollars (\$36,500.00) in U.S. Currency
Civil Action No. 2:05cv1086-W

Dear Mr. Reed:

I received your letter dated October 3, 2006 at 1:07 p.m. on October 6, 2006, concerning the depositions set for 9:00 a.m. on October 10, 2006. Therein, you informed me that your clients "will be invoking their Fifth Amendment right not to be a witness against themselves." The deposition was convened as scheduled and your clients' absences were noted for the record.

You are correct in stating that the Fifth Amendment may be asserted in civil forfeiture proceedings. However, a claimant must assert the privilege in response to specific questions and may not avoid deposition by a "blanket" assertion. The United States maintains that your clients' failure to attend this duly noticed deposition was contrary to law and to the rules of discovery.

Accordingly, the United States expects your clients to make themselves available for deposition at a time specified by the United States and to pay the appearance fee for the court reporter designated by the United States.

**PLAINTIFFS
EXHIBIT**

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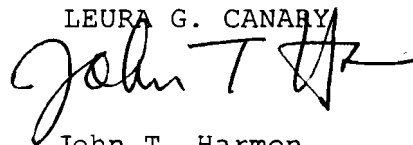
Mr. Joe M. Reed
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Please respond to this demand within the next seven days. Unless this matter is resolved within that time, the United States will be forced to file a motion to compel.

Sincerely,

FOR THE UNITED STATES ATTORNEY

LEURA G. CANARY

A handwritten signature in black ink, appearing to read "John T. Harmon", with a stylized flourish at the end.

John T. Harmon
Assistant United States Attorney

LGC:JH:sv